

**Notice of Allowability**

Application No.

10/051,856

Applicant(s)

MOLL, GEORGES-HENRI

Examiner

Wilbert L. Starks, Jr.

Art Unit

2121

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed 01/17/2002.
2. ☒ The allowed claim(s) is/are 1-42.
3. ☒ The drawings filed on 17 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Reasons For Allowance*

1. Claims 1-42 are allowed.
2. The following is an Examiner's statement of reasons for allowance:
3. The cited prior art taken alone or in combination fails to teach the claimed invention of planning and scheduling, as claimed by Applicant. Specifically, independent claims 1, 4, 7, 18, 21, 29, 32, and 35 disclose "defining a maximum energy  $E_{\max(r, T)}$  variable to represent a maximum energy of the resource  $r$  that can be used during a single time bucket  $T$ , and maintaining a constraint on a product of the  $X_{(p, T)}$  variable and the  $EPC_{(p, r)}$  variable, summed over the process  $p$ , to be less than or equal to  $E_{\max(r, T)}$ ."
4. The closest prior art of Wuchinich et al. teaches energy scheduling in the context of a scanning apparatus but fails to teach or suggest "defining a maximum energy  $E_{\max(r, T)}$  variable to represent a maximum energy of the resource  $r$  that can be used during a single time bucket  $T$ , and maintaining a constraint on a product of the  $X_{(p, T)}$  variable and the  $EPC_{(p, r)}$  variable, summed over the process  $p$ , to be less than or equal to  $E_{\max(r, T)}$ ." To the extent that this feature is not found in the prior art cited by Examiner, the present case is found allowable over the prior art cited by Examiner.
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2121

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - A. Allaei (U.S. Patent Number 6,394,242; dated 28 MAY 2002; class 188; subclass 378) discloses an apparatus and method for confinement and damping of vibration energy.
  - B. Allaei (U.S. Patent Number 6,116,389; dated 12 SEP 2000; class 188; subclass 378) discloses an apparatus and method for confinement and damping of vibration energy.
  - C. Platus (U.S. Patent Number 5,370,352; dated 06 DEC 1994; class 248; subclass 619) discloses a damped vibration isolation system.
  - D. Wuchinich et al. (U.S. Patent Number 4,787,247; dated 29 NOV 1988; class 073; subclass 620) discloses a scanning apparatus and method.
  - E. Keefe (U.S. Patent Number 4,638,194; dated 20 JAN 1987; class 310; subclass 040R) discloses a coherent magneto-caloric effect superconductive heat engine process cycle.

Art Unit: 2121

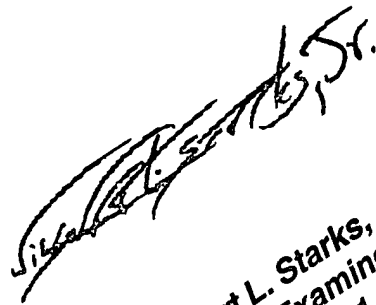
7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Wilbert L. Starks, Jr. whose telephone number is (571) 272-3691.

Alternatively, inquiries may be directed to the following:

<b>S. P. E. Anthony Knight</b>	<b>(571) 272-3687</b>
<b>After-final (FAX)</b>	<b>(703) 746-7238</b>
<b>Official (FAX)</b>	<b>(703) 746-7239</b>
<b>Non-Official/Draft (FAX)</b>	<b>(703) 746-7240</b>

WLS

07 March 2005



Wilbert L. Starks, Jr.  
Primary Examiner  
Art Unit - 2121